

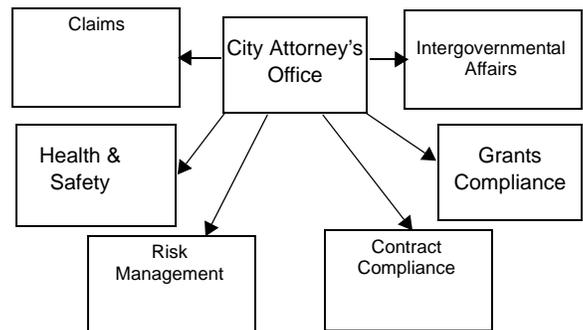
operating budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Personal services	3,312,871	4,157,454	4,237,400	4,940,516
Materials & supplies	9,726,181	12,869,473	10,567,238	11,695,501
Capital outlay	880	0	0	0
Total Expenditures	13,039,932	17,026,927	14,804,638	16,636,017
Charges for Services	(547,958)	(1,402)	0	0
Net Expenditures	12,491,974	17,025,525	14,804,638	16,636,017
<i>Funded Staffing Level</i>	44.00	59.50	51.92	69.25

mission

The Office of the City Attorney is committed to providing advice, opinions, claims service, contract compliance, support and legal representation on behalf of the City of Memphis administration, City Council, various divisions, agencies, boards, commissions and employees of the City of Memphis government.

structure



services

The City Attorney's Office defends the City in all litigation filed in State and Federal Courts and before the Civil Service Commission. It provides oversight of municipal processes to assure compliance with the City Charter, as well as local, State and Federal laws. Legal research, opinions and advice are provided to all divisions of the City government regarding ordinances, resolutions, agreements, contracts and other legal documents. The Claims Office processes third-party claims filed against the City of Memphis. The Office of Health and Safety plans and manages City-wide safety programs, drug testing, and on-the-job injury benefits. Risk Management provides oversight to ensure that the City's assets are preserved. The Office of Contract Compliance provides information and assistance to M/WBE to increase their ability to compete effectively for City contracts and monitors M/WBE participation goals. The Intergovernmental Relations Office serves as a liaison between the City Administration, Federal and State lobbyists and legislators and their administrative personnel. The Office of Grants Compliance provides

■ issues & trends

The City Attorney's Office continues to monitor changes to the Government Tort Liability Act and the Cable Franchise Industry, as well as the changing political climate in State and Federal government. Federal support is aggressively being pursued for major City projects. As the City of Memphis continues to diversify racially, potential studies are being evaluated to expand the M/WBE program. This office also seeks to increase public awareness of large court verdicts which are causing higher claim dollar demands and settlements. Catastrophic property losses and potential earthquake exposure have caused an increase in property claims and insurance coverage of 30 percent. The Office has dramatically increased its presence and communications within the various divisions concerning issues ranging from the City's On-The-Job-Injury Program, proactive approaches to lessen employee injury and employment litigation to conducting workshops regarding grants administration and grants compliance.

■ strategic goals

- 30-day resolution on applicable claims
- 30-day response time to all Title VI matters
- 14 day compensability of all OJI Claims
- Increase subrogation recoveries
- Minimize the City's liability claim settlements
- Increase the amount of City of Memphis dollars being spent with M/WBE
- Increase the number of M/WBE certified to do business with the City of Memphis
- Increase Attorney proactive presence with Divisions
- Increase in-house lawyer specialization to reduce reliance on outside contract counsel
- Review, revise and present seminar on City's Public Procurement Policies and Practices
- Present Regional Seminar on Municipal Liability and Defense in Section 1983 Civil Rights Cases
- Develop standard grants compliance check-list

■ budget highlights

- Reduced OJI medical expenses by 42% through use of new Third Party Claims Administrator and Preferred Provider network
- Reduced liability claims settlements cost by 32%
- Insurance premiums were maintained at the prior FY's cost
- Recovered \$205,000 in subrogation
- Re-negotiated the City's federal lobbying contracts for a saving of more than \$100,000 per year

■ demand measures

Number of lawsuits filed against the City	330
Number of claims filed against the City	1,216
Number of OJI claims filed against the City	1,324
Total monetary subrogation Recovery	\$283,000
Total Formal/Informal opinion	36
Contracts Drafted/Reviewed	1,395
Total Number of Open Record Requests	208
Total Number of Compliance Reviews	25
Number of Grants Awarded	22
Number of Grants Processed	29



■ fy 2008 performance highlights

- Maintained a Litigation Tracking System which allows for comprehensive data analysis, case tracking, claims processing, financial analysis and reporting
 - Increased subrogation recovery
 - Developed and implemented an insurance requirement manual tailored to the requirements of all contracted jobs
 - Maintained the average time for opinion request/ ordinance drafting to 7-10 days
 - Reduced the amount of time to investigate and resolve claims to 28 days
 - Reorganized portion of Claims Office to focus on employee health and safety issues
 - FY 2007 resulted in approximately 30% of available City of Memphis dollars being spent with M/WBE and for FY 2008, we anticipate 32% of City of Memphis dollars being spent with M/WBE
 - Increased the number of M/WBE certified to do business with the City of Memphis to 450 for FY 2007
 - Office of Contract Compliance launched a public relations campaign to recruit additional M/WBE by promoting various opportunities on radio shows, churches, and hosting monthly community breakfasts
 - The Office of Contract Compliance also launched the Diversity Developer Incubator which is designed to increase the number of M/WBE participating in real estate development
 - Managed the City's Renewal Community designation including development of the Tax Incentive Utilization Plan and allocation of \$12 million in Commercial Revitalization Deductions for economic development efforts
 - Expanded the City's Renewal Community's outreach contacts to businesses and community groups by more than 30%; 2005 contacts 1000; 2006 contacts 1100; 2007 contacts 1500
 - Secured \$3.2 million in federal funds and \$231,500 from state community grant funds
 - Secured state legislative passage of the Neighborhood Preservation Amendment and OPED
 - Office of Grants Compliance received an A- score on the 2007 Department of Justice Site Visit
 - Office of Grants Compliance Grants Administration staff conducted a two-day workshop regarding the grants administration process
- with all grants division liaisons in attendance



■ charges for services

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Property Insurance Recoveries	(547,958)	0	0	0
Drug Testing & Retest Fees	0	(1,402)	0	0
Total Charges for Services	(547,958)	(1,402)	0	0

Description

The Office of the City Attorney is committed to providing advice, opinions, claims service, contract compliance support and legal representation on behalf of the City of Memphis Administration, City Council, various divisions, agencies, boards, commissions and employees of the City of Memphis government.

Operating Budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Personal services	2,251,869	2,607,390	2,572,249	3,052,663
Materials & supplies	2,085,977	3,566,792	2,460,900	2,986,158
Net Expenditures	4,337,846	6,174,182	5,033,149	6,038,821
<i>Funded Staffing Level</i>	27.00	34.50	24.00	40.50

GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Improve and enhance professional relationships between City Attorney's Office and each Division of City Government	To submit article from Law Division to City Pride Newsletter detailing various legal matters.	Number of articles submitted annually	4	1	4
Establish a program to identify legal issues in the City contracting process and to implement improvements.	To review and identify the negotiated contract processes used in various divisions of City government	Report date	January 2006	July 2007	January 2009
	To complete re-codification/legal review of City Charter and Code and installation on-line	System implementation date	Not Applicable	Benchmark	July 2008
Develop and monitor annual budget for Law Division	To monitor the division appropriation statements monthly	Percent of approved budget expended	100%	100%	100%
Provide comprehensive oversight and legal counsel for all litigation matters	To reduce the number of lawsuits and legal expenses	Number of matters litigated/ resulting legal expenses	Benchmark	June 2008	December 2008



Description

The Claims Service Center works to provide an efficient and professional level of claims service on behalf of the City of Memphis.

Operating Budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Personal services	561,980	730,392	675,653	835,168
Materials & supplies	3,232,443	4,963,437	4,257,797	4,745,986
Total Expenditures	3,794,423	5,693,829	4,933,450	5,581,154
Charges for Services	0	(1,402)	0	0
Net Expenditures	3,794,423	5,692,427	4,933,450	5,581,154
<i>Funded Staffing Level</i>	9.00	11.00	11.92	11.75

GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Minimize the City's OJI Claim cost	To reduce the cost of OJI Claims by 10%	Percent reduction on OJI claims	42% Reduction	12% Increase	10% Reduction
Identify and reduce repetitive OJI and 3rd Party Claims	To review quarterly claims and OJI reports and identify areas for corrective actions for reducing accidents	Number of reports distributed	Not Applicable	Benchmark	4
Provide a safe environment for all employees and the public	To provide quarterly safety training to all Divisions and other specified training as needed	Number of training sessions provided	Not Applicable	Benchmark	4
Provide quality medical services to injured employees at minimal cost	To establish a medical panel of physicians to provide services and contain costs for work-related injuries	Date of implementation of panel	Not Applicable	Benchmark	August 2008
	To monitor and provide consolidated reports on OJI usage and expenses	Number of Quarterly reports completed and distributed	Not Applicable	Benchmark	4



GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Maintain a Drug Free workplace for all City employees	To establish on-site collection services for Police Division	Date of complete implementation of on-site collections services	Not Applicable	Benchmark	December 2008
	To maintain random drug testing rate of 10% for Police, 25% for Fire, and 50% for DOT	Random testing percentage rate for Police	Not Applicable	Benchmark	10%
Minimize the amount of time to investigate and resolve a claim	To maintain the average time for claims investigation and processing to 30 days or less	Number of days processing claims from activity report	30	30	30
Minimize the City's liability claim settlements	To reduce the liability claim settlements by 10%	Percent reduction in claim settlements compared to last year	10%	12%	15%

Description

The Office of Contract Compliance serves as the support agency and administrative arm to the Minority and Women Business Enterprise Participation Program. The purpose of the agency is to ensure that the legislative intent of the City's Ordinance 4288 et. Seq., which created the M/WBE program, is carried out in all procurement activities and opportunities. This office will serve as a catalyst through which Minority and Women Business Enterprises can fully participate in the economic expansion of the Memphis business community. This office will facilitate participation of public and private sector business entities in local M/WBE development through direct/indirect procurement opportunities.

Operating Budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Personal services	97,706	163,563	114,440	170,444
Materials & supplies	40,180	49,606	48,000	55,800
Net Expenditures	137,886	213,169	162,440	226,244
<i>Funded Staffing Level</i>	1.00	2.00	1.50	2.00

GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Facilitate and encourage more minorities and women in real estate development	To formulate a Diversity Developer Incubator	Date incubator plan completed , executed and attendees confirmed and paid	Not Applicable	February 2008	February 2009
Facilitate and encourage more public sector utilization of Minority/ Women Business Entity (M/WBE)	To coordinate and disseminate information on minority and women business entities to all City divisions	Date information disseminated to Division Directors	January 2007	January 2008	January 2009
	To increase the amount of public dollars spent with M/WBE	Percent of contracts over \$50K awarded to M/WBE	30%	32%	30%
Educate and inform City employees and City residents of Title VI rights & remedies	To educate City of Memphis employees and City residents of Title VI rights and remedies	Number of Town Hall Meetings attended	2	2	2
Sponsor, promote, and participate in seminars designed to assist M/WBE	To assist M/WBE in economic development by active participation in various seminars and programs	Number of participants in seminars and programs	450	500	500



GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Increase the number of certified M/WBE available to do business with the City	To work closely with the Uniform Certification Agency (UCA) to increase the number of certified M/WBE	Number of certified M/WBE supplied by UCA	400	420	430



Description

The Office of Intergovernmental Affairs coordinates the City's legislative efforts in Washington and Nashville and identifies Federal and State legislation that impact the City. This office is also responsible for researching and identifying Federal, State and private grant opportunities and assists with the preparation of grant applications from all City divisions.

Operating Budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Personal services	291,180	350,079	229,806	491,547
Materials & supplies	89,866	119,185	118,600	310,643
Capital outlay	880	0	0	0
Net Expenditures	381,926	469,264	348,406	802,190
<i>Funded Staffing Level</i>	6.00	4.92	3.00	6.00

GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Coordinate the City's legislative efforts with the Federal Government	To develop a Federal Legislative Agenda for the City of Memphis annually	Date Federal Legislative Agenda completed	February 2007	January 2008	January 2009
	To present and actively promote the Federal Legislative Agenda to members of the U.S. House of Representatives and U.S. Senate	Date agenda completed	Not Applicable	Benchmark	January 2009
	To provide regular communications to Division Directors regarding Federal issues/ bills of concern	Number of monthly communications to Directors	Not Applicable	Benchmark	As needed
	To actively assist Riverfront Development Corporation with Federal initiatives as necessary	Number of contacts with Federal agencies or legislators	Benchmark	30	As needed
Coordinate the City's legislative efforts in the Tennessee General Assembly	To work with each City Division to develop the current year State Legislative Agenda for the City of Memphis	Date agenda completed	January 2006	January 2008	January 2009



GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
	To present and actively promote the State Legislative agenda to members of the Tennessee General Assembly	Date agenda presented	February 2007	February 2008	February 2009
	To provide regular communications to Division Directors concerning issues/bills of interest to the City	Number of weekly communication/ updates	12	12	12
Advocate issues of concern regarding the City of Memphis	To represent the City of Memphis while appropriately promoting the City's Federal and State Legislative Agenda by working with other municipalities of government agencies	Number of contacts with other municipalities of government agencies	Not Measured	Benchmark	As needed basis
Maintain a system for a more focused and coordinated approach to grant applications	To maintain the database of grants currently received by generating an annual report	Annual report date	June 2006	June 2007	June 2008
	To maintain a prioritized list of ideas from which to determine pursuit of future grant opportunities	Date updated list completed	On-going	On-going	On-going
Coordinate efforts of the Memphis Renewal Community	To maintain all pertinent reports for the Department of Housing and Urban Development (HUD)	Date/status of completed scheduled HUD Tax Incentive Utilization Plan and Annual Reports	Completed	June 2008	June 2009
	To maintain a process for allocation of the Commercial Revitalization Deduction (CRD)	Date CRD allocated	December 31, 2006	December 31, 2007	December 31, 2008
	To coordinate meetings of the RC CORA Advisory Board	Number of meetings held on a annual basis	3	2	2



GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
	To promote RC Incentives to businesses and professionals	Number of training sessions held/ completed	22	24	22
Enhance internal compliance with applicable grant policies, rules and regulations	To establish and implement standard compliance tracking measures	Date measures established	Not Applicable	November 2007	November 2008
	To create standard compliance checklist	Date checklist completed	Not Applicable	November 2007	November 2008
	To conduct compliance checks and random site visits proactively	Number of compliance checks and random site visits	Not Applicable	Not Measured	Benchmark
	To create and maintain a comprehensive database for grant tracking	Date comprehensive database completed	Not Applicable	Benchmark	November 2008
Provide comprehensive oversight of all City grants and ensure the proper administration of all City grants	To develop a comprehensive procedure for submission and approval of grant applications	Date comprehensive procedure completed	Not Applicable	Benchmark	November 2008
	To assist in the pursuit of grant opportunities and partners	Number of grant opportunities identified	Not Applicable	Not Measured	Benchmark
	To monitor and review the grant application process	Number of applications reviewed	Not Applicable	Not Measured	Benchmark
	To provide training and support to grant liaisons where appropriate	Percent of training and support provided	Not Applicable	Not Measured	Benchmark

Description

Risk Management minimizes the total cost of risk to the City of Memphis through sound risk management guidance to all operating divisions.

Operating Budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Personal services	110,136	123,810	91,893	170,895
Materials & supplies	568,838	158,239	95,100	69,200
Total Expenditures	678,974	282,049	186,993	240,095
Charges for Services	(547,958)	0	0	0
Net Expenditures	131,016	282,049	186,993	240,095
<i>Funded Staffing Level</i>	1.00	2.17	1.50	3.00

GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Minimize the impact of losses incurred by the City of Memphis	To coordinate and track loss control inspections for insured locations	Number of completed loss control inspections	4	10	10
Enhance professional development of Risk Management employees	To have each employee attend professional seminars and training classes	Number of seminars and classes attended	0	2	2
Ensure the City of Memphis is protected on all contracts	To assist all divisions with placing insurance requirements in contracts	Number of contracts that required Risk Management's review.	Benchmark	10	15
Ensure the City's insurance is adequately priced and all property is insured	To meet with the Engineering Division and property carrier concerning discrepancies for all divisions insuring newly constructed and renovated properties	Number of drawings/ recommendations reviewed	Benchmark	As needed basis	As needed basis



Operating Budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Personal services	0	182,220	553,359	219,799
Materials & supplies	0	142,214	141,841	82,714
Net Expenditures	0	324,434	695,200	302,513
<i>Funded Staffing Level</i>	0.00	4.92	10.00	6.00

GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
Ensure proper processes and procedures are enforced by issuance of proper permits and billings as regulated by the City's Alcohol Commission	To bill notices to all beer and liquor-by-the-ounce locations by December of each year	Percent of locations billed	100%	100%	100%
Issue all vehicle-for-hire driver permits and certificates of public convenience and necessity for vehicle-for-hire companies	To continuously track and bill the vehicles permitted under the Certificates of Convenience and Necessity through the new system	Percent of accounts billed	100%	100%	100%
	To ensure that all permitted vehicles undergo a bi-annual safety and meter inspection	Number of permitted vehicles inspected bi-annually	255	255	255
Comply with TN Legislature Scrap Metal Ordinance by implementing and tracking of scrap metal/ auto salvage dealers & their employees	To prepare application forms and develop rules and regulations for the new Scrap Metal Ordinance	Status of proposed Bill in TN Legislature & pending litigation against City Ordinance	Not Applicable	Not Measured	Benchmark
	To determine number of Scrap Metal Businesses & Auto Salvage yards to be permitted	Number of Permitted businesses and number of industry employees to undergo warrant checks	Not Applicable	Not Measured	Benchmark



GOALS, OBJECTIVES & PERFORMANCE MEASURES

Goal	Objective	Performance Measure	Actual FY 2007	Estimated FY 2008	Adopted FY 2009
	To determine number of additional personnel needed to administer expected new ordinance requirements	Number of new positions created	Not Applicable	Not Measured	Benchmark
Establish a City of Memphis Transportation Commission Committee	To hold meeting with City Divisions to form a review committee for wreckers & transportation issues; develop rules and regulations for Memphis Transportation Commission	Date of completion	Not Applicable	Not Measured	Benchmark



CITY ATTORNEY

Operating Budget

Category	FY 2007 Actual	FY 2008 Forecast	FY 2008 Budget	FY 2009 Adopted
Materials & supplies	3,708,877	3,870,000	3,445,000	3,445,000
Net Expenditures	3,708,877	3,870,000	3,445,000	3,445,000



CITY ATTORNEY

AUTHORIZED COMPLEMENT

Service Center/Position Title	Authorized Positions	Service Center/Position Title	Authorized Positions
<u>City Attorney's Office</u>		<u>Intergovernmental Relations</u>	
ADMR CONTRACT	1	ADMR GOVERNMENTAL REL	1
ANALYST CLAIMS	1	COORD GRANTS	2
ASST ADMINISTRATIVE	1	COORD INTERGOV	1
ATTORNEY ASST CITY A	3	MGR GRANTS	1
ATTORNEY ASST CITY AA	4	SUPER GRANT COMPLIANCE	1
ATTORNEY ASST COMPLIANCE A	1	Total Intergovernmental Relations	6
ATTORNEY ASST COMPLIANCE AA	1	<u>Risk Management</u>	
ATTORNEY ASST HCD AA	1	ANALYST LOSS CONTROL	1
ATTORNEY CITY	1	ANALYST RISK MGMT	1
ATTORNEY CITY ASST SR	7	SUPER RISK MGMT	1
ATTORNEY CITY DEPUTY	1	Total Risk Management	3
ATTORNEY COLLECTIONS	1	<u>Permits/Grants</u>	
ATTORNEY PROSECUTOR AA	3	ADMR PERMITS LICENSES	1
ATTORNEY PROSECUTOR CHIEF	1	ANALYST PERMITS LICENSES LD	1
ATTORNEY STAFF	4	CLERK GENERAL APP A	4
ATTORNEY STAFF SR	1	Total Permits/Grants	6
COORD LEGAL ADMIN	1	<u>TOTAL CITY ATTORNEY</u>	
COORD PUBLIC RECORDS	1	<u>70</u>	
PARALEGAL	3		
PARALEGAL LEAD	1		
SECRETARY A	3		
Total City Attorney's Office	41		
<u>Claims</u>			
ADMR HEALTH SAFETY	1		
AGENT CLAIMS	1		
ANALYST CLAIMS	3		
COORD SAFETY	1		
COORDINATOR DRUG/TESTING	2		
INVESTIGATOR LEGAL	1		
MGR HEALTH SAFETY CASE	1		
SECRETARY A	1		
SUPER CLAIMS	1		
Total Claims	12		
<u>Contract Compliance</u>			
ANALYST CONTRACT COMPLIANCE	1		
OFFICER CONTRACT COMPLIANCE	1		
Total Contract Compliance	2		



